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Total Pages: 7 (Including cover)

NOTES FROM SENDER

RE: Serial No. 09/746,270
Filed: 12/20/2000
Attorney Docket No.: NC25580

TC: 2154
Examiner: EL HADY, Nabil M.

1. Fax Cover Sheet - 1pp
2. Transmittal - 1pp
3. Amendment/Response - 5pp

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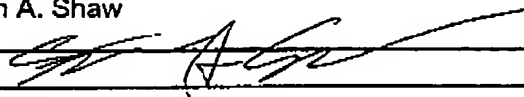
PTO/SB/21 (03-03)


Approved for use through 04/30/2003. OMB 0651-0031
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| | | | |
|--|----------------------|------------------------|---------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/746,270 | |
| | Filing Date | 12/20/2000 | |
| | First Named Inventor | GARGIULO, Michael | |
| | Art Unit | 2154 | |
| | Examiner Name | EI Hady, Nabil M. | |
| Total Number of Pages in This Submission | 7 | Attorney Docket Number | NC25580 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover - 1pp |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Steven A. Shaw |
| Signature |  |
| Date | 04/01/2005 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|--|---|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 1, 2005 | |
| Typed or printed | Beverly Sparkman |
| Signature |  Date 4/1/2005 |

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Appl. No. : 09/746,270
Applicant : Michael Gargiulo
Filed : December 20, 2000
TC/AU : 2154
Examiner : El Hady, Nabil M

Confirmation No.: 2797

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Docket No. : NC25580
Customer No. : 26343

Mail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

This paper is in response to the NOTICE OF NON-COMPLIANT AMENDMENT mailed March 21, 2005. The Office Action dated July 7, 2004, was a Non-Final Office Action. The Amendment was filed on November 5, 2004, with a one-month extension of time fee. Claim 5 of the Amendment was missing a status identifier. Therefore, since the Amendment was in response to a Non-Final Office Action and since the Amendment was a bona fide attempt to reply to the Office Action then, under 37 CFR 1.135c, Applicant has until April 21, 2005, to respond to the NOTICE OF NON-COMPLIANT AMENDMENT. In response thereto, Applicant resubmits the Amendments to the claims section of the Amendment.

Amendments to the Claims: begins on page 2 of this paper.